

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: Planning and Economic Development Department

AGENDA DATE: Introduction: October 19, 2010
Public Hearing: November 9, 2010

CONTACT PERSON/PHONE: Andrew Salloum, (915) 541-4633, salloumam@elpasotexas.gov

DISTRICT(S) AFFECTED: 8

SUBJECT:

An Ordinance granting Special Permit No. ZON10-00055, to allow for a 100% parking reduction on the property described as Lot 17, 18, and the East 10 feet of Lot 19, Block 17, Cotton Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.14.070 parking reduction of the EL Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 2332 Montana Avenue. Applicant: Betsy and Richard Nacim. ZON10-00055 (**District 8**)

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Reviewed
City Plan Commission (CPC) - Approval Recommendation (4-0)

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD:

Matthew S. McElroy
Deputy Director, Planning and Economic Development Department

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON10-00055, TO ALLOW FOR A 100% PARKING REDUCTION ON THE PROPERTY DESCRIBED AS LOT 17, 18, AND THE EAST 10 FEET OF LOT 19, BLOCK 17, COTTON ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.14.070 PARKING REDUCTION OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Betsy and Richard Nacim, Owners, has applied for a Special Permit for a 100% parking reduction under Section 20.14.070 of the El Paso City for a professional office; and,

WHEREAS, a report was made to the City Plan Commission and a public hearing was held regarding such application; and,

WHEREAS, the City Plan Commission has recommended approval of the subject Special Permit; and,

WHEREAS, the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval; and,

WHEREAS, the City Council of the City of El Paso finds that the application conforms to all requirements of Sections 20.04.320 of the El Paso City Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the property described as follows is in a **A-2 (Apartment)** Zone District:
Lot 17, 18, and the East 10 feet of Lot 19, Block 17, Cotton Addition, City of El Paso, El Paso County, Texas and as more particularly described by metes and bounds on the attached Exhibit "A"; and
2. That the City Council hereby grants a Special Permit under Section 20.04.320 of the El Paso City Code, to allow a 100% parking reduction for a 1,901 sq. ft. professional office; and,
3. That this Special Permit is issued subject to the development standards in the **A-2 (Apartment)** District regulations and is subject to the approved Detailed Site Development Plan, signed by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "B" and incorporated herein by reference for all purposes; and,
4. That if at any time the Owners fails to comply with any of the requirements of this Ordinance, Special Permit No. **ZON10-00055** shall automatically terminate, and

ORDINANCE NO. _____

1

ZONING CASE NO. ZON10-00055

construction shall stop or occupancy shall be discontinued, until any such violation ceases; and,

5. That the Owners shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

PASSED AND APPROVED this _____ day of _____, 2010.

THE CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Lupe Cuellar
Assistant City Attorney

Mathew S. McElroy, Deputy Director
Planning and Economic Development Department

ORDINANCE NO. _____

2

ZONING CASE NO. ZON10-00055

AGREEMENT

Betsy and Richard Nacim, Owners, referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Detailed Site Development Plan attached to same Ordinance, and in accordance with the standards identified in the **A-2 (Apartment)** District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this _____ day of _____, 2010.

Betsy and Richard Nacim:

By: _____
Betsy Nacim

(signature)

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this _____ day of _____, 2010, by **Betsy Nacim**, Owner.

My Commission Expires:

Notary Public, State of Texas

Notary's Printed or Typed Name:

ORDINANCE NO. _____

3

ZONING CASE NO. ZON10-00055

Lot 17, 18 and the East 10 feet of Lot 19, Block 17,
Cotton Addition,
City of El Paso, El Paso County, Texas
June 1, 2010

EXHIBIT "A"

METES AND BOUNDS DESCRIPTION
2332 Montana Street
Exhibit "A"

FIELD NOTE DESCRIPTION of Lot 17, 18, and the East 10 feet of Lot 19, Block 17, Cotton Addition, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at the most northeast corner of Lot 17, Block 17, same being the right-of-way intersection of the southerly right-of-way line of Montana Street (70' R.O.W.) and westerly right-of-way line of Poplar Drive, and the POINT OF BEGINNING of the herein described parcel;

THENCE, leaving said both northeast corner and right-of-way intersection, and along said westerly right-of-way line, South 00°00'00" East, a distance of 120.00.00 feet to a point;

THENCE, leaving said westerly right-of-way line, North 90°00'00" West, a distance of 60.00 feet to a point;

THENCE, North 00°00'00" West, a distance of 120.00 feet to a point;

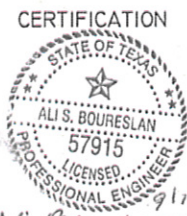
THENCE, South 90°00'00" East, a distance of 60.00 feet to the POINT OF BEGINNING of the herein described parcel and containing 7,200.00 square feet or 0.1653 acres of land more or less.

Carlos M. Jiménez
Registered Professional Land Surveyor
Texas No. 3950




CAD Consulting Co.
1790 Lee Trevino Drive, Suite 503
El Paso, Texas 79936
(915) 633-6422
I:\M&B\2010\00977.wpd



SCALE 1"=20'



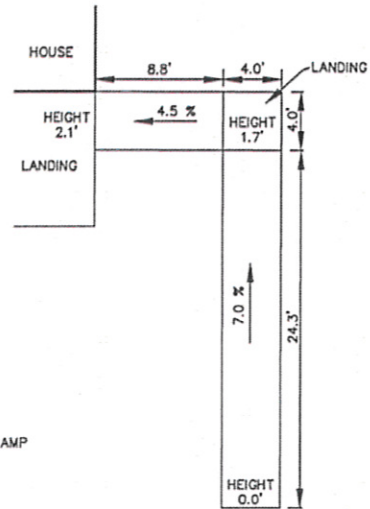
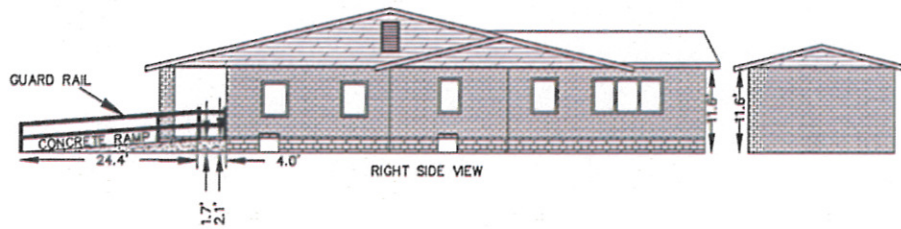
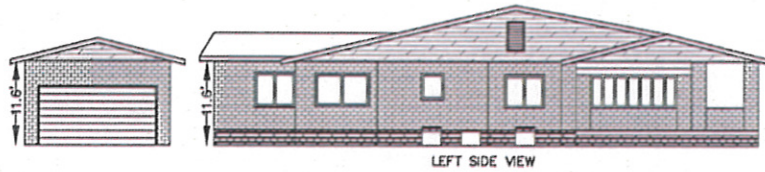
Ali Basmah pe #05017

LEGEND	
	= PLANTS
	= CONCRETE
	ROCK LANDSCAPE

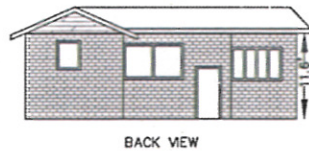
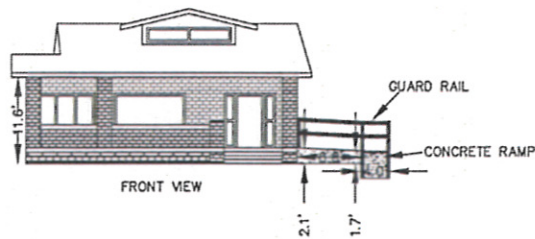
COPYRIGHT © 2010 CAD CONSULTING CO. ALL RIGHTS RESERVED
JOB # 00977 DATE: 04-23-10 FIELD: AR FILE: J-ENRIQUE\2010\00977

2332 MONTANA STREET
LOT 17, 18 AND THE EAST 10 FEET OF LOT 19
BLOCK 17, COTTON ADDITION
CITY OF EL PASO, EL PASO COUNTY, TEXAS

CONSULTING COMPANY
1790 LEE TREVINO DRIVE SUITE 503
EL PASO, TEXAS 79936
(915) 633-6422



RAMP DETAIL
SCALE 1"=10'



SCALE 1"=20'

CERTIFICATION



Ali Boureslan 9/1/10
9/1/10

COPYRIGHT © 2010 CAD CONSULTING CO. ALL RIGHTS RESERVED

JOB # 00977 DATE: 04-23-10 FIELD: AR FILE: J-ENRIQUE\2010\00977

2332 MONTANA STREET
LOT 17, 18 AND THE EAST 10 FEET OF LOT 19
BLOCK 17, COTTON ADDITION
CITY OF EL PASO, EL PASO COUNTY, TEXAS



CAD CONSULTING COMPANY
1790 LEE TREVINO DRIVE SUITE 503
EL PASO, TEXAS 79936
(915) 633-6422

MEMORANDUM

DATE: October 11, 2010

TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager

FROM: Andrew Salloum, Planner

SUBJECT: ZON10-00055

The City Plan Commission (CPC) on September 23, 2010, voted 4-0 to recommend **APPROVAL** of the special permit application to allow for a 100% parking reduction.

The CPC found that the special permit is in conformance with the Plan for El Paso and that the proposed use is in conformance with the projected 2025 general land use map for the Central Planning Area. The proposed development is compatible with adjacent land uses. The CPC also determined that the special permit protects the best interest, health, safety, and welfare of the public in general; and the special permit will have no effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There was **NO OPPOSITION** to this request.

Attachments: Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: ZON10-00055 (Related ZON10-00054 Rezoning)
Application Type: Special Permit and Detailed Site Development Plan
CPC Hearing Date: September 23, 2010
Staff Planner: Andrew Salloum, 915-541-4633, salloumam@elpasotexas.gov

Location: 2332 Montana Avenue
Legal Description: Lot 17, 18, and the East 10 Feet of Lot 19, Block 17, Cotton Addition, City of El Paso, El Paso County, Texas
Acreage: 0.165 acres
Rep District: 8
Existing Use: Professional Office
Existing Zoning: A-2 (Apartment)
Request: Parking Reduction
Proposed Use: Professional Office

Property Owners: Betsy and Richard Nacim
Applicant: Betsy and Richard Nacim
Representative: Betsy and Richard Nacim

SURROUNDING ZONING AND LAND USE

North: A-2 (Apartment) / Vacant
South: A-2 (Apartment) / Office
East: A-2 (Apartment) / Office
West: S-D/c (Special Development/condition) / Office

THE PLAN FOR EL PASO DESIGNATION: Mixed-Use (Central Planning Area)

Nearest Park: Memorial Park (4,624 Feet)

Nearest School: Sunset High (2,579 Feet)

NEIGHBORHOOD ASSOCIATIONS

El Paso Central Business Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on September 7, 2010. The Planning Division did not receive any phone calls or letters in support or opposition of the rezoning request.

APPLICATION DESCRIPTION

The applicant is requesting a special permit and detailed site development plan review for a 100% parking reduction for a professional office. The site plan shows an existing 1,901 square-foot office building. The proposed use requires 5 parking spaces and 3 bicycle parking spaces. The applicant has also submitted an application to rezone this property from A-2 (Apartment) to S-D (Special Development), ZON10-00054.

The parking study submitted shows that there are sufficient parking spaces on surrounding streets to satisfy the parking requirements.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **APPROVAL** of the special permit and detailed site development plan request as it meets all the requirements of 20.04.150, Detailed Site Development Plan, and 20.04.320, Special Permit.

The Plan for El Paso –City-wide Land Use Goals

All applications for special permit and detailed site development plan shall demonstrate compliance with the following criteria:

- a. Goal: provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses
- b. Goal: protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.
- c. Goal: preserve, protect, and enhance the integrity, economic vitality, and livability of the city's neighborhoods.
- d. Goal: encourage the provision of neighborhood commercial services which are compatible with a neighborhood's residential character

The purpose of the S-D (Special Development) district is to provide an opportunity for mixed-use projects, integrated in design, in certain older residential areas where there is a desire to permit a variety of nonresidential uses while maintaining the established residential appearance and landscaping of the area. The regulations of this district are designed to ensure compatibility with existing uses in the district; to permit the production, exhibit or sale of goods and the providing of services to the public in such older residential areas; to protect the traffic capacity of streets serving such older residential areas; to encourage flexibility by prescribing general performance standards for such older residential areas; and to protect the environment of adjacent areas. For the purpose of this district, older areas of the city shall be deemed those areas where development has existed for at least twenty-five years

Development Services Department - Building Permits and Inspections Division

Zoning: Plan Review has no objections.

Landscaping: No comments received.

Development Services Department – Land Development

1. ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.*
2. Grading plan and permit shall be required.*
3. Storm Water Pollution Prevention Plan and/or permit required.*
4. Drainage plans must be approved by the Development Services Department, Engineering Section.*
5. The Subdivision is within Flood Zone C – “Areas of minimal flooding, (No shading)”.– Panel # 480214 0033B, dated October 15, 1982.

* This requirement will be applied at the time of development.

Engineering Department - Traffic Division

No objection to parking reduction.

Street Department

- We offer no objections.
- Alley shall be paved and improved to meet Design Standards for Construction as it provides access to garage.
- All existing / proposed paths of travel, accessible sidewalks, wheel chair access curb ramps and driveways within public right-of-ways shall be in compliance with current ADA /TAS rules and regulations and Current City of El Paso Design Standards for Construction.

Fire Department

El Paso Fire Department has no objections to parking reduction request.

El Paso Water Utilities

EPWU does not object to this request.

CITY PLAN COMMISSION OPTIONS

The City Plan Commission may consider the following options and additional options that it identifies when reviewing the special permit and detailed site development plan application:

1. Recommend approval of the application finding that the special permit and detailed site development plan is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan
2. Recommend approval of the application with modifications to bring the special permit and detailed site development plan into conformance with the review criteria in The Plan for El Paso as reflected in CPC report or other criteria from the Plan as identified by the CPC.
3. Deny the application finding that the special permit and detailed site development plan does not conform to the review criteria in The Plan for El Paso as reflected in CPC report or other criteria identified from the Plan by the CPC.

Attachments

1. Location Map
2. Aerial Map
3. Detailed Site Plan
4. Elevations

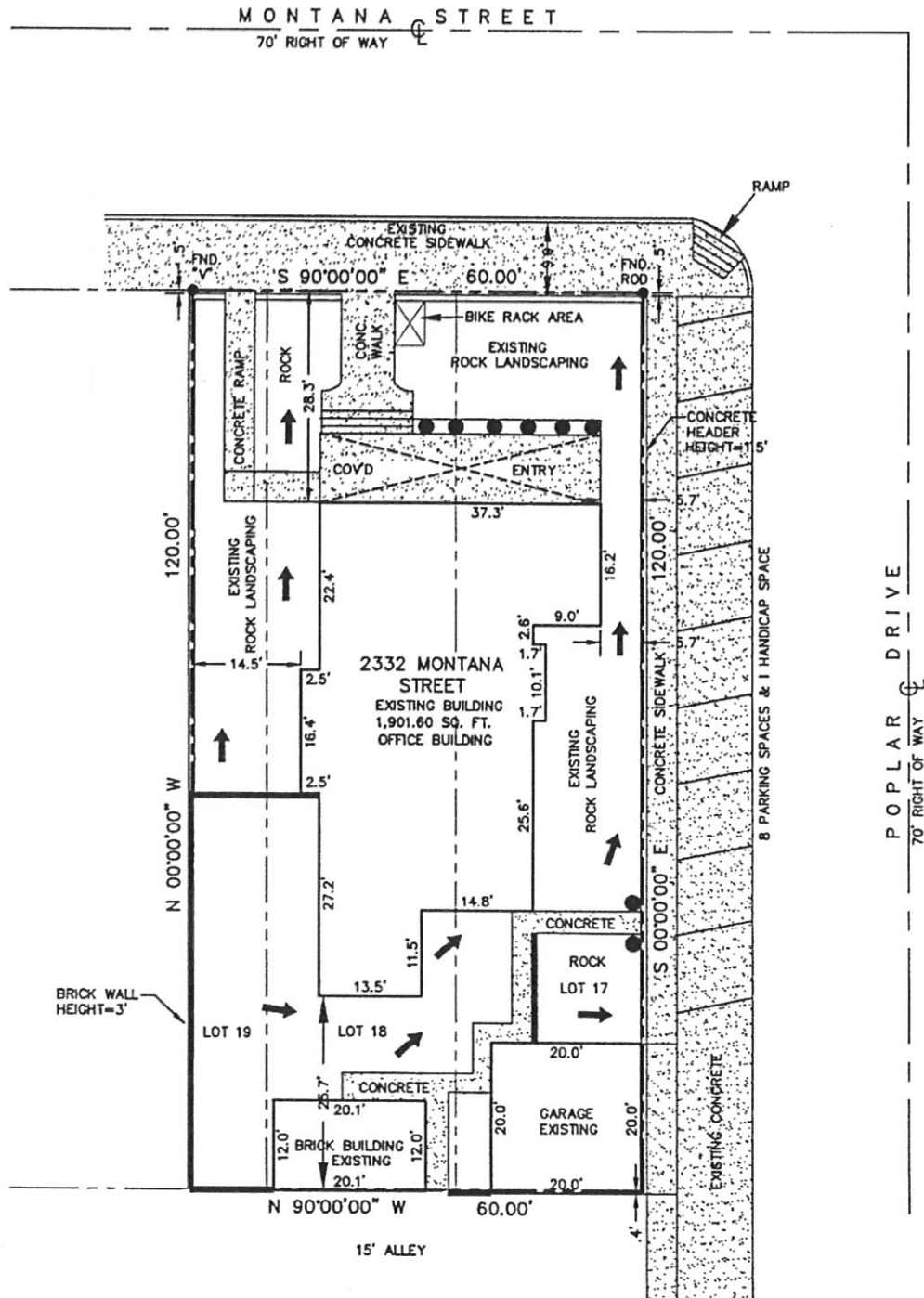
ATTACHMENT 1: LOCATION MAP



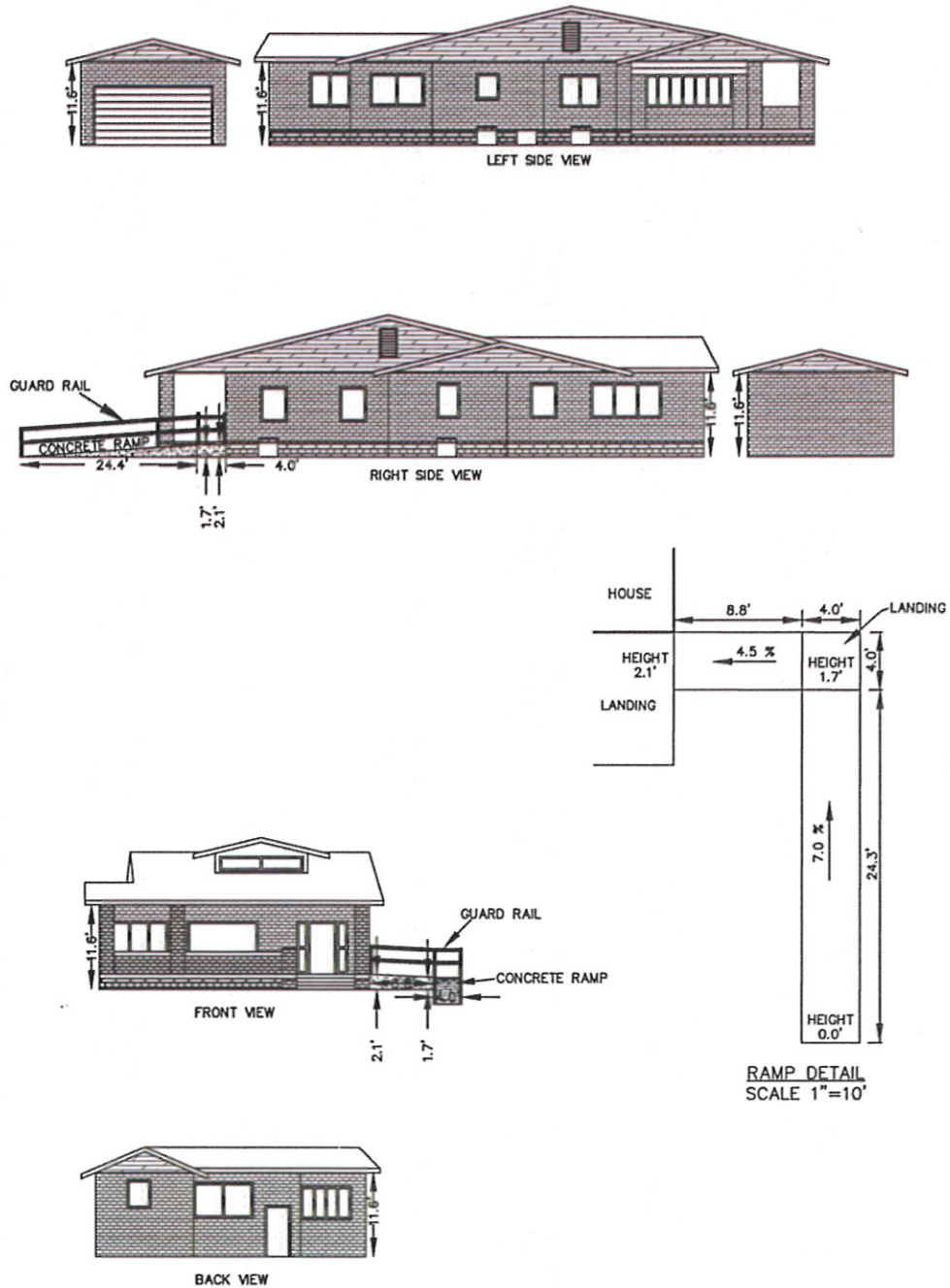
ATTACHMENT 2: AERIAL MAP



ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



ATTACHMENT 4: ELEVATIONS



SCALE 1"=20'

RAMP DETAIL
SCALE 1"=10'